

REMARKS

Reconsideration of this application is respectfully requested.

In the Official Action, the Examiner rejects claim 1 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,681,260 to Ueda et al. (hereinafter “Ueda”) in view of U.S. Patent No. 6,958,577 to Biglieri et al. (hereinafter “Biglieri”) and further in view of U.S. Patent No. 6,594,517 to Nevo (hereinafter “Nevo”). Furthermore, the Examiner rejects claims 8 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Ueda in view of Biglieri.

With regard to the rejections of claims 1 and 18, the same have been canceled, thereby rendering the rejections thereof moot.

With regard to claim 8, Applicants respectfully traverse the Examiner’s rejection under 35 U.S.C. § 103(a) for at least the reasons set forth below. However, independent claim 8 has been amended to clarify its distinguishing features.

Specifically, claim 8 has been amended to recite (in clean copy):

“wherein the magnetic-field generating member includes at least one magnetic coil which is driven only when the magnetic field is applied and when the magnetic field is not applied, generates a magnetic field, the magnetic-field generating means is controlled such that a magnetic field is intermittently applied as a pulse signal, and the magnetic-field generating means drives the magnetic-field generating member in a time series manner and selectively to control the posture and movement of the capsule endoscope when the magnetic-field is applied; and
the position of the capsule endoscope is detected with the magnetic field generated by the magnetic field generating member itself when the magnetic field is not applied.”

The capsule endoscope system of claim 8 includes a magnetic-field generating member including at least one magnetic coil which is driven only when the magnetic field is applied and generates a magnetic field when the magnetic field is not applied, and magnetic-

field generating means which is controlled such that a magnetic field is applied as a pulse signal.

When the magnetic field is applied, the magnetic field generating member is driven in a time series manner and selectively to control the posture and movement of the capsule endoscope. On the other hand, when the magnetic field is not applied, the position of the capsule endoscope is detected with the magnetic field generated by the magnetic-field generating member itself.

Such a configuration solves a problem associated with prior art capsule endoscope systems, namely, when the capsule endoscope is applied with an external magnetic-field, the external magnetic-field is superimposed on the action of the magnetic coil of the capsule endoscope itself which performs position detection, which significantly decreases the precision of the position detection. Thus, by applying the external magnet-field as a pulse signal, the external magnetic-field is intermittently applied, which allows highly precise detection of the position of the capsule endoscope. Such features and the advantages resulting therefrom are nowhere disclosed or suggested in the prior art, including the Ueda, Biglieri and Nevo references cited by the Examiner.

With regard to Ueda, the Examiner argues that the same discloses many of the features of the capsule endoscope system of claim 8. Applicants respectfully disagree and discuss such features below with respect to the disclosure of Ueda.

1) As to the magnetic-field being intermittently generated (item [13c]):

Ueda is directed to control a generated magnetic field to allow a capsule endoscope to smoothly pass in the large intestine, with direct current power sources connected such that the electromagnetic coil generates an alternating magnetic field and stationary magnetic field at a straight part and a bent part in the large intestine, respectively. Thus, Ueda

merely discloses the change of the magnetic field when the capsule endoscope is made to pass through the large intestine.

2) As to the magnetic field being intermittently generated as a pulse signal (item [13d]):

Ueda is configured to transmit images in A field and to generate a magnetic field in B field. However, Ueda does not disclose or suggest that the magnetic field is applied as a pulse signal, and that position detection is performed when the magnetic field is not applied.

3) Ueda discloses that position detection is enabled with a hall sensor (item [13e]):

However, Ueda is not configured to apply the magnetic field as a pulse signal, control the posture and movement of the capsule endoscope when the magnetic field is applied, and detect the position of the capsule endoscope with the magnetic field generated by the magnetic coil itself when the magnetic-field is not applied, as is recited in the capsule endoscope system of claim 8.

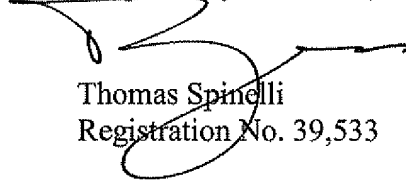
With regard to the rejection of claim 1 under 35 U.S.C. § 103(a), as discussed above, the same has been canceled, thereby rendering the rejection thereof moot. Consequently, the Examiner is respectfully requested to withdraw the rejection of claim 1 under 35 U.S.C. § 103(a).

With regard to the rejection of claims 8 and 18 under 35 U.S.C. § 103(a), independent claim 8, as amended, is not rendered obvious by the cited references because neither the Ueda patent nor the Biglieri patent, whether taken alone or in combination, teach or suggest a capsule endoscope system having the features discussed above and recited in independent claim 8. Accordingly, claim 8, as amended, patentably distinguishes over the

prior art and is allowable. Claim 18 has been canceled, rendering the rejection thereof moot. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 8 and 18 under 35 U.S.C. § 103(a).

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas Spinelli', is written over the printed name and registration number.

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